

## REMARKS

Applicants and the undersigned attorney reviewed the pending Office Action carefully. Reconsideration is respectfully requested. Nonetheless, in light of the positions presented herein, this application is believed to be in condition for allowance.

Claim 5 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. More specifically, a question was raised regarding the recited RGD sequence. For purpose of clarification, the nature and composition of such peptide amphiphiles allows for the presence of one or more RGD sequences within the amphiphile structure.

Claim 1 was rejected under 35 U.S.C. § 102(b) as anticipated by Peterson. Applicants respectfully disagree, in that a nanotextured mineral phase such as that recited in Claim 1 must be considered. Such terminology is supported throughout the specification, as for instance on page 41 with reference to Figures 3A and 3B.

The Examiner concedes Peterson does not describe a nanotexture. Accordingly, Peterson is not an anticipatory reference. The rejection should be withdrawn, with the subject claims allowed to proceed toward issue.

Claim 1 was also rejected under 35 U.S.C. § 102(b) as anticipated by the Stupp '272 patent. Applicants appreciate the Examiner's concern, but respectfully disagree. As with Peterson, the Stupp '272 patent does not disclose a nanotextured aspect of this invention. This reference is not anticipatory. The rejection should be withdrawn, with the subject claims allowed to proceed toward issue.

Finally, Claim 1 was also rejected under 35 U.S.C. § 102(a) as anticipated by the Gergely article. Once again, Applicants must disagree with the Examiner's position. Gergely does not describe nanotexture. A careful reading of this reference shows the Gergely composites to be quite unlike those of the present application. For instance, without limitation, Gergely does not describe a calcium phosphate component on a substrate.

Consistent with the other cited references, Gergely is not anticipatory. This rejection should also be withdrawn, with the subject claims allowed to proceed toward issue.

This application is believed to be in condition for allowance. Consistent therewith, a favorable action is respectfully requested. The Examiner is invited to contact the undersigned by telephone should any issue remain. Thank you for your time and consideration.

Respectfully submitted:



Rodney D. DeKruif  
Attorney for Applicants  
Registration No. 35,853

Reinhart Boerner Van Deuren s.c.  
1000 North Water Street, Suite 2100  
Milwaukee, WI 53202  
(414) 298-8360  
Customer No. 22922